

**FILED**

JAN 06 2020 *EV*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

THOMAS G. BRUTON  
CLERK, U.S. DISTRICT COURT

UNITED STATES OF AMERICA

v.

BRIAN McGRATH

)

) No.

)

) Violations: Title 18, United States

) Code, Section 371

)

)

**MAGISTRATE JUDGE FUENTES**

**20 CR 007**

The UNITED STATES ATTORNEY charges:

1. At times material to this information:

(a) The Livingston County Jail was a prison located in Livingston County, Illinois, in which federal detainees awaiting trial or sentencing in the United States District Court for the Northern District of Illinois were housed pursuant to a contract and agreement with the Attorney General of the United States.

(b) Federal law, including Title 18, United States Code, Section 1791, and Federal Bureau of Prisons regulations, including Title 28, Code of Federal Regulations, Section 553.12, prohibited correctional officers, inmates, and civilians from bringing certain contraband items into Livingston County Jail, and possessing certain contraband items inside. Among the items that constituted contraband were civilian clothing, workout supplements, and food items not obtained from the commissary or received through appropriate channels.

(c) Defendant BRIAN McGRATH was employed as a correctional officer at Livingston County Jail. McGRATH's official duties included maintaining

the security of Livingston County Jail detainees, and abiding by the applicable statutes, regulations, and policies and procedures for Livingston County Jail.

(d) Individuals A and B were federal detainees awaiting trial and sentencing in the United States District Court for the Northern District of Illinois and were inmates at Livingston County Jail.

(e) Individual C was a resident of California and was Individual B's brother.

(f) Individual D was a resident of Chicago, Illinois, and was Individual B's mother.

2. Beginning no later than in or around July 2017 and continuing until at least in or around September 2017, in the Northern District of Illinois, Eastern Division, and elsewhere,

BRIAN McGRATH,

defendant herein, did knowingly conspire with others known and unknown, to provide to an inmate of a prison a prohibited object in violation of a statute and a rule and order issued under a statute, in violation of Title 18, United States Code, Section 1791(a)(1) and (b)(5).

3. It was part of the conspiracy that McGRATH agreed with Individual A to smuggle contraband items into Livingston County Jail so that the items could be distributed to inmates within Livingston County Jail, including Individual B.

4. It was further part of the conspiracy that Individual B asked Individual C to purchase certain items, including three t-shirts and two packages of workout

supplements, and ship those items to McGRATH's residence in Dwight, Illinois, so that McGRATH could smuggle the items into Livingston County Jail.

5. It was further part of the conspiracy that Individual C purchased certain items, including three t-shirts and two packages of workout supplements, and arranged to have them shipped to McGRATH's residence, knowing that the items would be smuggled into Livingston County Jail.

6. It was further part of the conspiracy that McGRATH obtained food, candy, and workout pills intending to smuggle these items into Livingston County Jail.

7. It was further part of the conspiracy that McGRATH used his position as a correctional officer to smuggle the contraband items into Livingston County Jail and delivered the materials to Individual A, knowing that such smuggling was prohibited by Livingston County Jail Policies and Procedures.

8. It was further part of the conspiracy that Individual A distributed the contraband items to Individual B within Livingston County Jail.

9. It was further part of the conspiracy that Individual B caused Individual D to purchase money orders and send the money orders to McGRATH's residence as bribe payments for McGRATH's role in smuggling contraband items into Livingston County Jail.

**Overt Acts**

10. In furtherance of the conspiracy and to effect its object, McGRATH and his co-conspirators committed and caused to be committed the following overt acts, among others, in the Northern District of Illinois and elsewhere:

(a) On or about July 16, 2017, Individual C purchased three t-shirts and two packages of workout supplements, and instructed that the items be shipped to McGRATH's residence in Dwight, Illinois.

(b) On or about August 3, 2017, Individual B caused Individual D to purchase a \$150 money order from a currency exchange in Chicago, Illinois.

(c) On or about August 3, 2017, Individual B caused Individual D to mail the money order via the United States Postal Service from Chicago, Illinois to McGRATH's residence in Dwight, Illinois.

(d) On or about August 10, 2017, McGRATH deposited the \$150 money order into his credit union account.


(e) On or about September 1, 2017, Individual B caused Individual D to purchase a \$250 money order from a currency exchange in Chicago, Illinois.

(f) On or about September 1, 2017, Individual B caused Individual D to mail the money order via the United States Postal Service from Chicago, Illinois to McGRATH's residence in Dwight, Illinois.



(g) On or about September 11, 2017, MCGRATH deposited the \$250 money order into his credit union account.

All in violation of Title 18, United States Code, Section 371.

  
UNITED STATES ATTORNEY